

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

-PSO-

JEREMY SANTIAGO, 01-A-3979,

Plaintiff,

05-CV-6140P

-v-

MEMORANDUM and ORDER

C.O. HERB, C.O. SMITH, SGT. MURRAY,
C.O. PODULAK, C.O. STOCK, C.O. LUPO,
C.O. BROWN, SGT. SMITH, SGT. BURNS,
and LT. QUINN,

Defendant.

Plaintiff, who is incarcerated in the Auburn Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted.

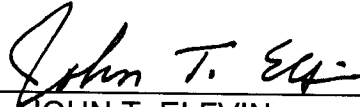
In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria. Plaintiff alleges that beginning on February 18, 2005, following his initial grievance regarding denials of a meal, programing and recreation, defendants engaged in retaliation that culminated in excessive force during a cell extraction on February 21, 2005.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

DATED: Buffalo, New York
June 21, 2005



JOHN T. ELFVIN
UNITED STATES DISTRICT JUDGE